IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 18129 of 2007(G)

PETITIONER:

BERT S/O.FRANCIS, KURIYAPPILLY HOUSE,
MADATHUMPADY P.O., THRISSUR.

BY ADV. SRI.SAJU.S.NAIR
SRI.BOBBY LAL

RESPONDENTS:

1. ADDITIONAL DISRICT MAGISTRATE,THRISSUR.

2. ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION,
KERALA STATE ELECTRICITY BOARD,MALA, THRISSUR.

3. JOHNY, PULIKKAL HOUSE,
MANALIKKAD, MADATHUMPADY POST, THRISSUR.

4. JOSEPH,KURISINKAL HOUSE,
MANALIKKAD, MADATHUMPADY POST, THRISSUR.

5. VINOBHAN, MALIYEKKAL HOUSE, MANALIKKAD,
MADATHUMPADY POST, THRISSUR.

6. KOCHUTHRESSIA, KURISSINGAL HOUSE,
MANALIKKAD, MADATHUMPADY POST,THRISSUR.

7. MARIYAM, W/O DEVASSY,KURISSINGAL HOUSE,
MANALIKKAD, MADATHUMPADY POST,THRISSUR.

8. A.R.THOMAS, ARAKKAL HOUSE, MANALIKKAD,
MADATHUMPADY POST,THRISSUR.

9. GABRIYEL,ARAKKAL HOUSE, MANALIKKAD,
MADATHUMPADY POST, THRISSUR.

10. KERALA STATE ELECTRICITY BOARD,
REP.BY ITS SECRETARY,
VAIDHYUTHI BHAVAN, THIRUVANANTHAPURAM.

BY GOVT.PLEADAER SRI.N.SUDHADEVI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J

W.P.(C) NO. 18129 of 2007

Dated this the 6th day of July, 2007

JUDGMENT

Petitioner is challenging Ext.P4 order authorising drawal of electric line through his property to give domestic connection to one Sri.A.R.Thomas. The case of the petitioner is that the original proposal was to draw line through somebody else's property and the same was unnecessarily dropped and the electric line was later proposed over his property. KSEB has produced a sketch which shows the original line proposed by it and the line presently approved by the Additional District Magistrate. It is seen from ADM's order and the sketch that the earlier proposal was abandoned because the said line was passing very close to the house of another person. It is dangerous to retain live electric line very close to a house which is stated to be less than two metres. On the other hand the line presently approved is over the boundary of the petitioner's property which is 39 cents of land. Therefore the line approved by the Additional Magistrate calls for no interference. However, I make it clear that the line should be drawn on the extreme boundary of the petitioner's property if required, after

shifting the post on the road side to the edge of petitioner's property so that the line is drawn exactly over the boundary which will not cause much inconvenience to the petitioner.

The writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR,
JUDGE

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